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Attorney Docket No. 10015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 29 2002
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Applicant: Howard et al.

Art Unit: 1638

Serial No.: 09/786,960

Filed: March 12, 2001

Examiner: P. Bui

For: COMMERCIAL PRODUCTION OF
LACCASE IN PLANTS

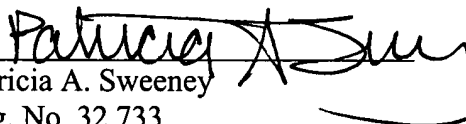
RESPONSE TO NOTICE TO COMPLY

Box Sequence
Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed June 26, 2002, the Applicant submits herewith a paper copy of the sequence listing, a copy on diskette, a Statement in Support of same and a copy of the Notice to Comply.

Any inquires should be directed to the Agent named below.

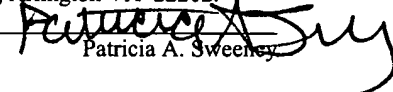

Patricia A. Sweeney
Reg. No. 32,733

Patricia A. Sweeney
1835 Pleasant St.
West Des Moines, IA 50265-2334
(515)222-0921

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this Amendment is being deposited on the date shown below with the United States Postal Service, Express Mail Post-Office-to-Addressee, Express Mail Number EF285735955US, addressed to U.S. Patent Office, 2011 South Clark Place, Customer Service Window, Box Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington VA 22202.

Date July 19, 2002


Patricia A. Sweeney



DEAFACE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/786960		Howard et al.	



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EXAMINER	
P. Bui	
ART UNIT	PAPER NUMBER
1638	8

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to *Phuong Bui* at telephone number (703)30 5-1996..

Phuong Bui

PHUONG T. BUI
PRIMARY EXAMINER

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

JUL 19 2002

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☒ 7. Other: PCT/US99/23256 is not in sequence compliance and thus the CRF cannot be transferred.

Applicant must provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response.

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CERTIFICATE OF EXPRESS MAILING

Express Mail Mailing Label Number: EF285735915US

Date of Deposit:

July 19, 2002

I hereby certify that the following: Response to Notice to Comply; Copy of Notice to Comply; Sequence listing on paper and on diskette, and Statement in Support of same is being deposited with the United States Postal Service as Post-Office-to-Addressee Express Mail addressed to the United States Patent and Trademark Office, 2011 South Clark Place, Customer Service Window, Box Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202.

Patricia A. Sweeney
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